IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1112 of 2007()

CMP.831/2007 of J.M.F.C.,MAVELIKKARA
C.R.NO.28/2007 OF MAVELIKKARA EXCISE RANGE

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: PETITIONER/ACCUED:

KUNJUMON, S/O.PAPPI,
SHERIN VILA, KALLIMEL MURI,
VETTIYAR VILLAGE, MAVELIKKARA TALUK.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR, MAVELIKKARA
EXCISE RANGE, MAVELIKKARA.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1112 OF 2007

Dated this the 27th day of February, 2007

O R D E R

Petitioner, who is the accused in C.R.No.28/2007 of Mavelikkara Excise Range for an offence punishable under section 55 (a) of the Abkari Act for having been found in possession of 10 liters of spirit on 3.2.2007 and who was arrested on the same day, seeks his enlargement on bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in two other crimes involving similar offences.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case as also the medical grounds put forward by the petitioner that he is undergoing treatment in the Medical College, Thiruvananthapuram.

4. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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